IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

THURSDAY, THE 14TH JUNE 2007 / 24TH JYAISHTA 1929

WP(C).No. 18289 of 2007(B)

PETITIONER:

V.JAYASREE,W/O.SIVARAMAKRISHNAN MOOSAD,
AGED 56 YEARS, U.D.CLERK,VAZHIPAD COUNTER,
SREE RAMASWAMY TEMPLE,THIRUVANGAD,THALASSERY,
RESIDING AT RAILVIEW,NEAR RAILWA 2ND GATE,
THIRUVANGAD,THALASSERY-03,KANNUR DISTRICT.

BY ADV. SRI.R.SURENDRAN

RESPONDENTS:
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1. V.P.SHEEJA,D/O.GANGADHARAN, AGEDNO KNOWN
L.D.CLERK,VAZHIPAD COUNTER,
SREE RAMASWAMY TEMPLE,THIRUVANGAD,
THALASSERY, KANUR DISTRICT.

2. THE EXECUTIVE OFFICER,
SREE RAMASWAMY TEMPLE,THIRUVANGAD,
THALASSERY,KANNUR DISTRICT.

3. THE COMMISSIONER, HINDU RELIGIOUS AND
CHARITABLE ENDOWMENTS (ADMINISTRATION)
DEPARTMENT,KOZHIKODE-20.

4. THE TRUSTEE BOARD,THIRUVANGAD SREE
RAMASWAMY TEMPLE DEVASWOM,THIRUVANGAD,
THALASSERY, KANUR DISTRICT. REPRESENTED BY THE
MANAGING TRUSTEE,THIRUVANGAD SREE RAMASWAMY TEMPLE
DEVASWOM,THIRUVANGAD, THALASSERY, KANUR DISTRICT.

BY GOVERNMENT PLEADER SRI. BIJOY CHANDAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 14/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.BALAKRISHNAN NAIR, J.

W.P.(C) No.18289 of 2007-B

Dated this the 14th day of June, 2007.

J U D G M E N T

The writ petitioner is the second respondent in O.A.6 of 2007 before the third respondent. The said O.A. is filed by the first respondent herein. The said respondent claims promotion to the post of U.D. Clerk in preference to the petitioner. The petitioner is appointed under the dying-in-harness scheme. The first respondent raised preliminary objection that the O.A. is not maintainable before the 3rd respondent as the 3rd respondent has directed the appointment of the petitioner. She pressed for a decision on that point. While disposing of that point by Ext.P8 order, the petitioner submits, some observations which may be adverse to her have been made which is marked as Ext.P8(A). So, this writ petition is filed challenging the said adverse observations.

2. Ext.P8(A) is only an interim order. During the course of a proceeding, there may be adverse orders or findings against one party or other. But, every time they cannot approach this Court challenging the adverse findings or orders before culmination of the proceedings before the competent authority. If the final orders in the proceedings

is adverse to the petitioner, she can challenge it. While challenging that adverse findings or orders passed as interim measures can also be challenged. Therefore, it is unnecessary for this Court to entertain the challenge against Ext.P8(A). If, based on Ext.P8 (A), any adverse action is taken against the petitioner as apprehended, she will be free to challenge it. In that proceedings she can dispute Ext.P8(A) also.

Subject to the above observation, the Writ Petition is dismissed.

K.BALAKRISHNAN NAIR,
JUDGE.

MS